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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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| In re: | Chapter 11 |
| Hello Livingston Extended, LLC, | Case No. 23-22422-shl |
| Debtor. | Hon. Sean H. Lane United States Bankruptcy Judge |
| -----X | |

**OBJECTION OF MORDECHAI KOHN TO DEBTOR’S MOTIONS
FOR ORDERS (i) APPROVING BID PROCEDURES AND AUTHORIZING
SALE AT AUCTION AND (ii) DISCLOSURE STATEMENT**

Mordechai Kohn, by and through his undersigned counsel, hereby objects to the pending motions filed by Hello Livingston Extended LLC (the “Debtor”) to: (i) Sell Property Free and Clear of Liens Under Section 363(f) and for Entry of An Order Approving Bid Procedures and Scheduling of Auction Sale (the “Sale Motion”; Dkt. Ent. 18-19) and (ii) Approve Disclosure Statement (the “Disclosure Motion”; Dkt. Ent. 25-26).

Kohn’s objection is based on the lack of proper authority and necessary consents for the filing of the Debtor’s Chapter 11 case.

The objection by Kohn adopts and incorporates all the reasons and arguments set forth in the Objection of Eugene Weiss filed on August 9, 2023 (Dkt. Ent. 25).

Kohn is a member of GWK Livingston LLC, which is a Class A member of 291 Perigrove

1001 LLC, which is a member of 291 Livingston Holdings LLC (managed by David Gefner) and Perigrove 1001 LLC (whose members are David Gefner and Abraham Leifer), which are the members of the Debtor. An organization chart reflecting the ownership and membership structure was submitted with Weiss's Objection, Dkt. Ent. 35-1.

As explained in Weiss's Objection, there is no authority and necessary consent from GWK Livingston LLC and 291 Perigrove 1001, LLC for the Debtor's bankruptcy. Therefore, without the requisite consent and authority from members of the relevant entities who own membership interests in the Debtor to commence this bankruptcy proceeding, the Court is without subject matter jurisdiction over the Debtor and all proceedings herein.

Accordingly, Kohn requests that the Court deny the Sale Motion and Disclosure Motion and dismiss this proceeding. At a minimum, the pending motions should be adjourned for at least 90 days to afford time for appropriate discovery to be conducted to determine if there is proper jurisdiction of this Court over the Debtor.

WHEREFORE, for the reasons in Weiss's Objection (Dkt. Ent. 35) and herein, Kohn objects to the pending Sale Motion and Disclosure Motion which should be denied and this action dismissed for the reasons stated above; in the alternative, the pending motions should be adjourned for at least 90 days to afford time for appropriate discovery to be conducted to determine if there is proper jurisdiction of this Court over the Debtor, together with such other and further relief as the Court may deem just and proper.

Dated: Syosset, New York
August 9, 2023

EINHORN KARPEL, P.C.
Attorneys for Mordechai Kohn

/s/ Samuel Karpel

By: _____

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